

April 18, 2022

VIA ECF

United States Magistrate Judge Sarah Cave  
United States District Court Judge for the  
Southern District of New York  
500 Pearl St.  
New York, NY 10007-1312

Re: Wagner et al. v. International Business Machines Corp., 1:21-CV- 09443

Dear Magistrate Judge Cave:

The parties jointly request an adjournment of the initial pretrial conference scheduled for April 25, 2022, at 4 p.m. The parties request this adjournment both because counsel for Defendant has a conflict on April 25, 2022 and because the parties have reached a tentative resolution with respect to the claims of four plaintiffs or opt-in plaintiffs and the parties need additional time to confer on the potential resolution. These individuals are not subject to IBM's Motions to Dismiss filed on March 7, 2022 (Dkts. 18 & 21). There have been no previous requests for adjournment. Should Your Honor grant this adjournment, the parties are available May 26 and June 1, 2022 for the conference.

If this proposed adjournment meets with Your Honor's approval, a "So Ordered" line is provided below for the Court's convenience.

Respectfully submitted,

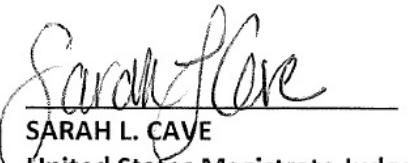
/s/ Shannon Liss-Riordan  
Shannon Liss-Riordan  
Counsel for Plaintiffs

/s/ Matthew W. Lampe  
Matthew W. Lampe  
Counsel for Defendant

Parties' letter-motion to adjourn (ECF No. 40) is GRANTED. The Initial Case Management Conference scheduled for Monday, April 25, 2022 at 4:00 pm is adjourned to **Thursday, May 26, 2022 at 4:00 pm**. The parties are directed to call: (866) 390-1828; access code: 380-9799, at the scheduled time. All other terms of the original scheduling order (ECF No. 30) remain in effect.

The Clerk of Court is respectfully directed to close ECF No. 40.

SO ORDERED 4/18/2022

  
SARAH L. CAVE  
United States Magistrate Judge